

OFFICIAL COPY

Fresno, California

June 29, 1999

The Council of the City of Fresno met in joint session with the Fresno Redevelopment Agency at the hour of 8:50 a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Tom Boyajian	Councilmember
	Garry Bredefeld	Councilmember (Arrived later)
	Chris Mathys	Acting President
	Henry Perea	Councilmember
	Sal Quintero	Councilmember
	Daniel Ronquillo	Councilmember
	Ken Steitz	Council President (Arrived later)

Jeff Reid, City Manager
Dan Fitzpatrick, Agency Executive Director
Hilda Cantu Montoy, City Attorney
Rebecca Klisch, City Clerk
Cindy Hamby, Deputy City Clerk

(8:30 A.M.) REGULAR MEETING OF, AND JOINT MEETING WITH, THE)
REDEVELOPMENT AGENCY)

APPROVE AGENCY MINUTES OF JUNE 22, 1999)

On motion of Councilmember Perea, seconded by Acting President Mathys, duly carried, RESOLVED, the minutes of June 22, 1999, approved as submitted.

("A") REPORT TO AND RECEIVE DIRECTION FROM THE AGENCY BOARD)
RELATIVE TO ENTERING INTO A 120-DAY "EXCLUSIVE DEVELOPER)
NEGOTIATIONS" WITH GUNNER & ANDROS INVESTMENTS TO MASTER)
PLAN/DEVELOP 9.72 ACRES (SUBAREA 1 OF VENTURA/FREEWAY 41 STUDY)
AREA) FOR MIXED-USE COMMERCIAL DEVELOPMENTS (AGENCY ACTION))

Redevelopment Administrator Murphey reviewed the issue and introduced Dan Russell and Dennis Fry, representatives of Gunner and Andros Investments. Mr. Russell gave a brief overview and requested Council approve staff recommendation.

Councilmember Ronquillo thanked everyone involved in the project, and stated this project involved a cultural, diverse enhanced perspective on trying to create a project in the State which would improve the downtown area. Councilmember Perea expressed concern relating to the 120-day process, stated the cornerstone of the project area is the Caltrans building which the Redevelopment Agency should have funding for in the next three to four years and recommended bringing the Armenian Center on line as soon as possible and elaborated.

Acting President Mathys stated he supported the project, questioned what would happen to the existing businesses, and expressed concern about the sensitivity of eminent domain and relocation, with Mr. Russell responding. Redevelopment Agency Executive Director Fitzpatrick clarified the area being discussed tonight was ten acres between "O" and "M" Street. City Manager Reid questioned the hotel component and the RFQ for the Ophelia property with Ms. Murphey stating no response has been received by the deadline so there would be no potential conflicts for the project. Extensive discussion ensued relating to what was involved in the 120 day exclusive developer negotiations, with Mr. Fitzpatrick stating that at the end of the 120-days, the Agency would return with a list of principles and timelines to guide the future development and elaborated. Councilmember Bredefeld expressed concern about moving forward with the project with little information provided, stated he supported for the project, but was taking into account the concerns of the people who have projects and businesses in the area.

On motion of Chair Ronquillo, seconded by Councilmember Perea, duly carried, RESOLVED, the RFQ responses for Subarea 1 of the Ventura/Freeway 41 Study Area and the recommendations of the Review Committee hereby received and the Executive Director hereby directed to enter into a 12 day "exclusive developer negotiations" with Gunner and Andros Investments Company to establish the financial and other capabilities of the developer to develop Subarea 1 of the Ventura/Freeway 41 Study Area subject to the following conditions; (a) the project team shall specifically include an experienced redevelopment consultant (such as Mr. Bill Farley) as identified at the "Developer Presentations" on May 21, 1999, and be maintained throughout the development of the project; (b) the RFQ Review Committee shall be kept current and informed about the negotiations to ensure consistency with recommendations of the Request For Qualification (RFQ) and the RFQ Review Committee; and (c) if the 120 day "exclusive developer negotiations" fails, then the project will be brought back to the Agency and be referred back to the RFQ Review Committee for recommendation of another developer for the project, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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The City Council convened in regular session at the hour of 9:20 a.m. in the Council Chamber, City Hall.

Pastor G.L. Johnson of the Peoples Church gave the invocation, followed by the Pledge of Allegiance to the Flag.

PROCLAMATION OF "WORLD EXCHANGE MONTH")

Read and presented.

PROCLAMATION OF "ARTHUR J. HILL DAY" - COUNCILMEMBER QUINTERO)

Read and presented.

PROCLAMATION OF "UNITED STATES AMATEUR ROLLER-SKATING")

WEEK” - ALL COUNCILMEMBERS)

Read and presented.

(2 - 0) PROCLAMATION OF “FRESNO’S VICTORY IN PHILADELPHIA AS ALL)
AMERICAN CITY” - COUNCILMEMBERS RONQUILLO AND QUINTERO AND)
COUNCIL PRESIDENT STEITZ)

Read and presented.

9:48 A.M. - 10:04 A.M. - RECESS

RESOLUTION OF COMMENDATION TO “FOR EMPTY BOWLS” - ACTING)
PRESIDENT MATHYS)

Read and presented.

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APPROVE COUNCIL MINUTES OF JUNE 22, 1999)

On motion of Councilmember Perea, seconded by Councilmember Quintero, duly carried, RESOLVED,
the minutes of June 22, 1999, approved as submitted. Councilmember Ronquillo arrived shortly thereafter.

APPROVE AGENDA:

(5B) DISCUSSION AND DIRECTION REGARDING FORMATION OF A VOLUNTARY)
CITIZEN’S TASK FORCE RELATED TO EVALUATING SOCIAL SERVICE FUNDING)
FOR FUTURE BUDGETS - COUNCILMEMBER BREDEFELD)

Councilmember Bredefeld requested a time specific for the above item. With Council consensus, the item
hereby scheduled for July 27, 1999 at 11:15 a.m.

(5C) APPROVE RENEWAL OF HOCKEY LEASE WITH FRESNO FALCONS -)
COUNCILMEMBER PEREA)

Councilmember Perea requested the above item be laid over to 7/27/99.

DISCUSSION OF HIDALGO PROJECT AREA - COUNCILMEMBER PEREA)

With Council concurrence the above item scheduled for July 20, 1999 at 9:00 a.m.

REQUEST WAIVER OF FEES FOR THE USE OF THE EXHIBIT HALL FACILITY)
FOR THE ANNUAL EMPTY BOWLS EVENT - ACTING PRESIDENT MATHYS)

Acting President requested above item be placed on the July 20, 1999 Council agenda under City Council
items.

On motion of Councilmember Perea, seconded by Councilmember Bredefeld, duly carried, RESOLVED,

the **AGENDA** hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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ADOPT CONSENT CALENDAR:

(1A-1) APPROVE ACQUISITION OF 8,585 SQUARE FEET OF LAND FOR EXPANSION)
OF PUMP STATION NO. 203 LOCATED ON COMMERCE AVENUE EAST OF MAPLE)
AVENUE AT THE APPRAISED VALUE OF \$7,300 AND AUTHORIZE THE PUBLIC)
WORKS DIRECTOR TO EXECUTE ALL DOCUMENTS NECESSARY TO COMPLETE)
THE ACQUISITION THROUGH ESCROW)

(1A-2)* **RESOLUTION NO. 99-188** - ADOPTING AN INVESTMENT POLICY FOR)
PUBLIC FUNDS FOR FISCAL YEAR 1999-2000)

(1A-3)* **RESOLUTION** - 362ND AMENDMENT TO MFS RESOLUTION NO. 80-420 TO)
IMPLEMENT A FEE FOR TAKING APPLICANT FINGERPRINTS IN ACCORDANCE)
WITH THE REQUIREMENTS OF THE CALIFORNIA DEPARTMENT OF JUSTICE, CAL)
ID LIVE SCAN PROGRAM AND A PASS-THROUGH FEE, PAYABLE TO THE)
DEPARTMENT OF JUSTICE, FOR PREPARING CERTAIN CRIMINAL HISTORY)
REPORTS)

(1A-4) ADOPT THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE)
CITY OF FRESNO AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL)
WORKERS, LOCAL 100 (IBEW), UNIT 07, COVERING THE PERIOD JULY 1, 1998)
THROUGH JUNE 30, 2001)

(1A-5) AUTHORIZE THE PARKS, RECREATION AND COMMUNITY SERVICES)
DIRECTOR TO ENTER INTO A FIVE-YEAR LEASE AGREEMENT WITH A)
THREE-YEAR OPTION FOR THE USE OF THE CECIL C. HINTON COMMUNITY)
CENTER)

(1A-8) APPROVE THE 1999-2000 FRESNO WORKFORCE DEVELOPMENT BOARD JOB)
TRAINING PLAN MODIFICATION AND AUTHORIZE THE MAYOR TO SIGN)

(1A-9) APPROVE THE MODIFICATION TO THE FRESNO WORKFORCE DEVELOP-)
MENT BOARD WELFARE-TO-WORK LOCAL PLAN AND AUTHORIZE THE MAYOR)
TO SIGN)

(1A-10) **RESOLUTION NO. 99-190** - AUTHORIZING THE PURCHASE OF ONE (1))
REPLACEMENT 15-TON CRANE FOR USE BY THE DEPARTMENT OF PUBLIC)
UTILITIES WITHOUT ADVERTISED COMPETITIVE BIDDING UNDER THE SOLE)
SOURCE EXCEPTION)

(1A-12) APPROVE SERVICE EXTENSION PAST AGE 61 FOR POLICE SERGEANT)

On motion of Councilmember Perea, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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(10:00 A.M.) RESOLUTION - SUPPORTING MAESTRO RAYMOND HARVEY AND REQUEST BOARD OF FRESNO PHILHARMONIC TO RECONSIDER DECISION NOT TO RENEW MR. HARVEY'S CONTRACT - COUNCILMEMBER BREDEFELD AND COUNCIL PRESIDENT STEITZ)
)
)
)

A motion of Councilmember Ronquillo, seconded by Acting President Mathys to suspend the Council rules and hear the above listed item failed by the following vote:

Ayes	:	Mathys, Quintero, Ronquillo, Steitz
Noes	:	Boyajian, Bredefeld, Perea
Absent	:	None

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(8:30 A.M.) REGULAR MEETING WITH THE REDEVELOPMENT AGENCY)

The joint bodies reconvened in regular session at the hour of 10:20 a.m.

(8:30 A.M."B") RECEIVE STUDY FOR THE DOWNTOWN LAKE STUDY AREA, GENERALLY BOUNDED BY TULARE, "H", INYO, "L", VENTURA, VAN NESS, FREEWAY 41, AND SOUTHERN PACIFIC RAILROAD TRACKS, AND DIRECT STAFF TO PROCEED WITH THE RECOMMENDATIONS OF THE STUDY (AGENCY ACTION))
)
)
)

Redevelopment Administrator Murphey reviewed the staff report and recommended staff proceed with the issuance of a request for proposal. Redevelopment Agency Planner Yee gave a summary of the study, including discussion of mixed-use area, sewer, water, electric and gas lines, constraints relating to the telecommunications line and the necessity to maintain Ventura and "H" Street, and reviewed the PAC recommendation. Chair Ronquillo requested future printouts of the staff reports be of larger print.

Speaking in support of the downtown lake study area were: Jack Emerian, 4686 N. Van Ness, who displayed a banner called "Reflections of Tomorrow"; Dirk Poeschel; Larry Willey, 5502 W. Mission; (3 - 0) Eric Malicoat, an architecture student who constructed a model of the downtown lake on display in the foyer; Paul Saito, 2940 N. Blackstone, who distributed a handout of a development analysis to Council, on file in the City Clerk's Office. Councilmember Ronquillo left the meeting at 10:45 a.m. and returned at 11:05 a.m. Councilmember Perea presided over the meeting during the absence. Continuing to speak in support was Jeff Harris, 8389 N. Sierra Vista. Speaking in opposition was Bob Dwyer, 4781 E. Gettysburg.

Councilmember Bredefeld expressed his support for the hope of a better community by providing a lake

for the downtown area, which would encourage people to come to the inner city, discussed the building of Selland Arena, Saroyan Theatre and the Convention Center and questioned where the City would be without those facilities today.

A motion to approve staff recommendation and initiate the Request for Proposal for the downtown lake study was acted upon after extensive discussion.

Acting President Mathys expressed concern with neighborhoods needing curbs, gutters and streetlights, stated Council has a duty to prioritize the way the City's money is spent and elaborated, and stated the multipurpose stadium needed to be completed before beginning another project.

Council President Steitz questioned where the \$25 million would come from to begin the study with Mr. Fitzpatrick responding. President Steitz questioned the timeframe involved, the necessity for several public hearings, notification to all property and business owners in involved area of future hearings and the concern with closing down businesses. Acting President Mathys left the meeting at 11:20 a.m. and returned at 11:28 a.m.

Chair Ronquillo requested the Redevelopment Agency adjourn for a brief time to hear the 10:00 a.m. item and then continue with the joint meeting with brief discussion ensuing.

A motion of Acting President Mathys, seconded by Chair Ronquillo to suspend the Council rules and hear the 10:00 a.m. item failed by the following vote:

Ayes	:	Mathys, Quintero, Ronquillo, Steitz
Noes	:	Boyajian, Bredefeld, Perea
Absent	:	None

(8:30 A.M."B"CONTINUED) RECEIVE STUDY FOR THE DOWNTOWN LAKE STUDY)
AREA, GENERALLY BOUNDED BY TULARE, "H", INYO, "L", VENTURA, VAN NESS,)
FREEWAY 41, AND SOUTHERN PACIFIC RAILROAD TRACKS, AND DIRECT STAFF TO)
PROCEED WITH THE RECOMMENDATIONS OF THE STUDY (*AGENCY ACTION*))

An amendment to the original motion was made by Council President Steitz to proceed with the RFQ and include the notification and participation of property owners, businesses and the PAC for the next discussion at a hearing to be scheduled in the evening on July 27, 1999, and was acted upon after further discussion.

(4 - 0) Councilmember Quintero requested an outline identifying the funding sources on the project and also the location for parking to accommodate both projects, outline public funding and project generated funding. Councilmember Boyajian emphasized no money had been spent for the study, and stated the purpose was to investigate whether the project would be feasible for the downtown area.

A motion of Councilmember Perea, seconded by Acting President Mathys to close the debate failed by the following vote:

Ayes	:	Boyajian, Mathys, Perea
Noes	:	Bredefeld, Quintero, Steitz, Ronquillo
Absent	:	None

Chair Ronquillo stated for the record the Redevelopment Agency does not take anybody's property because the Agency has been sanctioned by the State of California for the last 60 years to repair blighted areas and the need to recognize the taxes that are gained in those areas can be spent in those same areas, stated as the Agency goes forward to negotiate with individual property owners to see if they want to participate, and if they do not want to comply with the standard met by the new development, the Agency will re-negotiate to purchase their property and assure their total expenses are paid, and also stated for the record that tax increment projects (TIF) are self-generated revenue.

On motion by Councilmember Bredefeld, seconded by Councilmember Boyajian duly carried, RESOLVED, to receive the study for the Downtown Lake Study Area, hereby received; Redevelopment staff directed to prepare and issue a Request for Qualifications (RFQ/Request for Proposal (RFP) to the Development Industry for the lake development in the downtown lake study area; receive the RFP within 30 days to approve or disapprove and should the Agency move forward, receive the RFP within 90 to 120 days; include the notification and participation of property owners and businesses and the PAC for the next discussion at a hearing to be scheduled in the evening on July 27, 1999, by the following vote:

Ayes	:	Boyajian, Bredefeld, Perea, Quintero, Ronquillo, Steitz
Noes	:	Mathys
Absent	:	None

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The joint bodies adjourned to 3:45 P.M. and the City Council reconvened in regular session at 11:40 a.m.

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A motion by Councilmember Bredefeld, seconded by Councilmember Perea, duly carried, RESOLVED, to proceed with the 10:00 a.m. item and preclude the 8:45 A.M. item hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

**(10:00 A.M.) RESOLUTION NO. 99-191 - SUPPORTING MAESTRO RAYMOND)
HARVEY AND REQUEST BOARD OF FRESNO PHILHARMONIC TO RECONSIDER)
DECISION NOT TO RENEW MR. HARVEY'S CONTRACT - COUNCILMEMBER)
BREDEFELD AND COUNCIL PRESIDENT STEITZ)**

Council President Steitz announced the time had arrived to consider the issue and opened the hearing.

Councilmember Bredefeld apologized for the lateness, expressed his support of Maestro Harvey, stated a City leader has a right to speak on positive or negative impacts in the community and elaborated on his support of the above resolution. City Clerk Klisch read the proposed resolution into the record.

Speaking in support of the issue was Dominic Papagni, 573 W. Fremont, who requested the involvement of the Human Relations Commission or City Ombudsman to assist in resolving the situation. Upon call, no one

else wished to speak.

Council President Steitz, Councilmembers Ronquillo and Boyajian spoke in support of the resolution. Acting President Mathys also spoke in support, stated he would direct District 2's Human Relations Commission members to assist in a resolution. Councilmember Perea stated Mr. Harvey had a positive impact on the community, stated his vote would be an abstention as the place for discussion was between the Fresno Philharmonic Board of Directors and Mr. Harvey, and stated he would send a letter in support. Councilmember Quintero also commended Mr. Harvey, adding he could not support the resolution due to not knowing all the facts.

On motion by Council President Steitz, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the above listed resolution amended to include the City Ombudsman's services if requested to work out any issues between Maestro Harvey and the Fresno Philharmonic Board, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

Maestro Harvey expressed appreciation for Council support, stated the Fresno Philharmonic Orchestra is one of the premier cultural institutions of the City and has performed for 47 years and hoped the outcome of the situation is positive for Fresno and elaborated. Acting President Mathys, with the support of Council offered a "Key to the City" to Maestro Raymond Harvey.

On motion of Councilmember Bredefeld, seconded by Council President Steitz, duly carried, RESOLVED, the above entitled Resolution No. 99-191 hereby adopted as amended to include the services of the City Ombudsman, if requested, to assist in working out issues, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Ronquillo, Steitz
Noes	:	Quintero
Absent	:	None
Abstain	:	Perea

Council President Steitz requested the City Clerk's Office prepare the amended resolution and forward to the Board of Directors of the Fresno Philharmonic Board.

12:02 P.M. - 2:10 P.M. - RECESS Acting President Mathys arrived at 2:18 p.m.

(1A-6) * RESOLUTION NO. 99-192 - 361ST AMENDMENT TO MFS RESOLUTION)
NO. 80-420 INCREASING GREEN FEES AT PALM LAKES AND RIVERSIDE)
MUNICIPAL GOLF COURSES IN ACCORDANCE WITH EXISTING LEASE/MANAGE-)
MENT AGREEMENTS AND THAT THE CHANGES BECOME EFFECTIVE SEPTEMBER)
1, 1999)

Council President Steitz questioned the increase in fees with Parks, Recreation and Community Services Director Primavera responding.

On motion of Councilmember Perea, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the above entitled Resolution No. 99-192 hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Mathys

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(1A-7) APPROVE THE 1999-2000 FRESNO WORKFORCE DEVELOPMENT BOARD)
AGENCY BUDGET AND PERSONNEL PLAN)

Council President Steitz questioned whether the County was only going to be involved with the Workforce Development Board, with Cindy Merzon Chief Executive Officer of the Fresno Workforce Development Board, stating the County's intention was to assume responsibility for the Board. Councilmember Perea requested the City Attorney's office review the Workforce Investment Act, to determine if there would be an opportunity for Council to stay involved in the use of these monies due to the vast majority being spent in the City of Fresno. Discussion ensued regarding the previous structure of the Board and as a member of the Board, Councilmember Perea requested another Councilmember volunteer to be on the Board, stated the issue will be placed on the 7/27/99 agenda.

Councilmember Bredefeld left the meeting at 2:15 p.m. and returned at 2:22 p.m. Councilmember Perea left the meeting at 2:18 and returned at 2:24 p.m.

(5 - 0) Extensive discussion ensued regarding youth employment, funds and fiscal liability, administrative overhead, and summer youth programs with Ms. Merzon responding. Council President Steitz requested a report outlining the pros and cons if the County of Fresno took entire control of the Board in its entirety. Councilmember Quintero requested an analysis from City Attorney's office regarding the impacts if the County took control with City Attorney responding.

On motion of Council President Steitz, seconded by Councilmember Perea, duly carried, RESOLVED, the 1999-2000 Fresno Workforce Development Board (FWDB) agency budget and personnel plan hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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(1A-11) AS REQUIRED BY CONDITIONS OF REZONING APPLICATION NO. R-90-80,)
 CONSIDERATION OF CONDITIONAL USE PERMIT APPLICATION NO. C-99-88 TO)
 MODIFY CONDITIONAL USE PERMIT APPLICATION NO. C-90-97 RELATING TO THE)
 DEVELOPMENT OF AN OFFICE SHELL BUILDING, INCLUDING THE LOCATION)
 AND SIZE OF THE BUILDING, PARKING LOT DESIGN, AND CIRCULATION PAT-)
 TERN)
1. RESOLUTION NO. 99-193 - APPROVING CONDITIONAL USE PERMIT APPLICA-)
TION NO. C-99-88 MODIFYING THE SITE PLAN OF CONDITIONAL USE PERMIT)
APPLICATION NO. C-90-97)

Councilmember Bredefeld expressed concern regarding the placement of the above listed item on the general consent calendar with Supervising Planner Beach stating the resolutions were for minor adjustments and not necessary to set a public hearing.

On motion of Acting President Mathys, seconded by Councilmember Bredefeld, duly carried, RESOLVED, Conditional Use Permit Application No. C-99-88 hereby approved subject to the following conditions: development shall take place in accordance with Exhibits A, B, L-1, and L-2, dated June 1, 1999; development shall take place in accordance with the Special Permit Conditions of approval, dated June 2, 1999; development shall take place in accordance with the general conditions to Project approval; and development shall comply with all conditions of Rezoning Application No. R-90-80 and the above entitled Resolution No. 99-193 hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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(11:00 A.M.) HEARING TO CONSIDER THE PROPOSED ANNUAL ASSESSMENT)
FOR LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 1)
1. RESOLUTION NO. 99-194 - APPROVING THE ENGINEER’S REPORT AND)
LEVYING ANNUAL ASSESSMENT FOR LANDSCAPE AND LIGHTING MAINTENANCE)
DISTRICT NO. 1)

Council President Steitz announced the time had arrived to consider the issue and opened the hearing.

Upon call, no one wished to be heard and Council President Steitz closed the hearing.

A motion to approve the above entitled resolution was acted upon after extensive discussion.

City Design Engineer Kassabian briefly reviewed the staff report. Councilmember Bredefeld expressed concern regarding how the maintenance was being performed, stated the residents are not happy with how the easements were being maintained, questioned whether he should support fees being charged if the easements were not maintained with City Manager Reid responding. Extensive discussion ensued regarding privatization of the services and the process of de-annexation. City Attorney Montoy noted the ramifications of voting the issue down would have a significant impact on the entire City, stated there was an alternative for property

owners who want to de-annex and can follow a procedure, and recommended allowing the district to continue providing the service. Extensive discussion ensued.

Councilmember Bredefeld requested an item be placed on the July 20, 1999, relating to notifying property owners of the de-annexation process from the maintenance district. Councilmember Perea supported the hearing, stated the issue was not whether the service was provided but the quality of the service and expressed concern with management and how they use their work force.

Chief of Design Services Valenzuela reminded Council this was a proposal to levy the assessments and the necessity to forward information to the County by July 19, for placement on the tax roll for next year.

A motion of Acting President Mathys, seconded by Councilmember Ronquillo to close the debate, hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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An motion of Council President Mathys, seconded by Councilmember Steitz, duly carried, RESOLVED, Resolution No. 99-194, hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Perea, Quintero, Ronquillo, Steitz
Noes	:	Mathys
Absent	:	None

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(8:45 A.M.”C”) JOINT MEETING WITH THE REDEVELOPMENT AGENCY

DOWNTOWN MULTIPURPOSE STADIUM:

A. DISCUSSION/DIRECTION RELATING TO FUNDING MECHANISMS FOR)
DOWNTOWN MULTIPURPOSE STADIUM - COUNCIL PRESIDENT STEITZ)
B. DIRECT CITY ATTORNEY TO REQUIRE THE DIAMOND GROUP CORPORATION)
AND THEIR OFFICERS, TO MAKE AVAILABLE FOR PUBLIC INSPECTION, A)
CURRENT CREDIT REPORT AND TAX RETURNS FOR THE YEARS 1997 AND 1998 -)
ACTING PRESIDENT MATHYS)

A motion of Acting President Mathys, seconded by Councilmember Bredefeld to suspend Council rules to hear the above listed item before closed session failed by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Ronquillo
Noes	:	Perea, Quintero, Steitz

Absent : None

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(2:00 P.M.#2) CLOSED SESSION

(“A”) CONFERENCE WITH LABOR NEGOTIATOR - GOVERNMENT CODE)
SECTION 54957.6 (COUNCILMEMBER RONQUILLO))
EMPLOYEE ORGANIZATION(S): FAPOFA)

(“B”) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -)
GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (A))
1. CASE NAME: CITY OF FRESNO V. FRESNO PACIFIC TOWERS, INC.)
(SECURITY PACIFIC BANK BUILDING))
2. CASE NAME: ROBERT FRANCO V. CITY OF FRESNO, ET AL.)
3. CASE NAME: ANGELO SASSO V. CITY OF FRESNO)
4. CASE NAME: SCOUT ISLAND INVESTORS V. CITY OF FRESNO)
5. CASE NAME: WILDCAT ENTERPRISES V. CITY OF FRESNO)
6. CASE NAME: KAREN GASINK V. CITY OF FRESNO, ET AL.)
7. CASE NAME: FRIENDS OF THE EARTH V. LAIDLAW AMICUS BRIEF)
8. CASE NAME: A.H.D.C., ET AL. V. CITY OF FRESNO, ET AL.)

(“C”) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -)
GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (B) SIGNIFICANT)
EXPOSURE TO LITIGATION: 1. PATRIOT HOMES FRESNO V. CITY OF FRESNO)
2. PATRIOT HOMES FRESNO II V. CITY OF FRESNO)

The Council met in closed session in Room 2125 at the hour of 2:48 p.m. to consider the above issues. City Attorney Montoy announced the case under existing litigation, Wildcat Enterprises v. City of Fresno was held over; the issue of Friends of the Earth v. Laidlaw Amicus Brief was a request for the City of Fresno to join in an amicus brief in support of precluding citizen groups from being able to recover civil penalties from governmental agencies for alleged violations of the federal clean water act, Council voted 7 -0 to join in that effort; and the two claims of Patriot Homes Fresno v. City of Fresno and Patriot Homes Fresno II v. City of Fresno, a claim for breach of contract and over-assessment relating back to mid 1991 and the formation of Assessment District No. AD 131,Council voted to reject the two claims with a vote of 7-0.

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The City Council and Redevelopment Agency reconvened in joint session at the hour of 4:25 p.m. with Councilmember Perea arriving shortly thereafter.

(8:45 A.M.”C”) JOINT MEETING WITH THE REDEVELOPMENT AGENCY

DOWNTOWN MULTIPURPOSE STADIUM:)
A. DISCUSSION/DIRECTION RELATING TO FUNDING MECHANISMS FOR)
DOWNTOWN MULTIPURPOSE STADIUM - COUNCIL PRESIDENT STEITZ)

Council President Steitz stated the reason for placing the item on the agenda was due to the need to complete the documents by the August 17, 1999 Council meeting, stated if tax increments are going to be used as an option, Council needed to make that direction.

Controller Souza gave a brief overview of the staff report, outlining 5 types of financing that have been used by the State of California. Councilmember Quintero questioned the options the City would have if the Redevelopment Agency committed \$3 million tax increment financing to the project, with Mr. Souza responding. Budget Manager Bruney discussed the impact to the general fund. Councilmember Perea left the meeting at 4:30 p.m. and returned at 4:38 p.m.

A motion to direct staff to proceed with the funding mechanism to include the Redevelopment Agency provide \$3 million in tax increment and the City provide \$3 ½ million was acted upon after extensive discussion.

Acting President Mathys questioned the appraisal component, timeline for the documents, lease-back property for the City, and tax increment bonds for the Redevelopment Agency with Mr. Souza stating the report will include options such parking revenue, equity strip and existing cash and elaborated.

Deputy City Attorney Hale responded to questions relating to bond companies, the Joint Powers Agreement, and the rights the City would have in case of a default.

Councilmember Ronquillo stated the tax increment being discussed would be self-generated from the project and added the Council should limit the commitment to the self-generated tax revenue that comes from the project, with extensive discussion ensuing. City Attorney Montoy stated, the City Attorney's Office would like to interpret the motion with flexibility, due to the Redevelopment Agency providing \$3 million and the City providing \$3.5 million, stated it would be very difficult to prepare the documents because of micro-management. Councilmember Ronquillo stated the Redevelopment Agency will come to a point where the RDA can have a reserve large enough to do that, stated for the next budget session the City should try to look into the infusion of some monies through possibly Club One revenue, balance of a parking revenue, or boot camp, adding the Redevelopment Agency has played a major role in the multipurpose stadium project.

City Manager Reid expressed concerns relating to mitigating the risk to the Agency, stated the risk is being taken on all revenues and by seeking to minimize the risk on the RDA would only transfer the risk back to the City general fund; stated if Council was going to switch risks between the City and the RDA for the project there would be a lot to discuss and recommended considering another finance strategy for the City which would be to place a lien on the assets from the parking revenues and the tax increment, and elaborated.

Councilmember Bredefeld commended involved staff and questioned the parking revenue bond, and whether it would require the re-installation of the parking meters with Mr. Souza responding. Brief discussion ensued regarding lease-back obligations.

Councilmember Bredefeld made a friendly amendment to the original motion to include investigating all

City assets, excluding Police and Fire Stations and Parks with Councilmember Quintero accepting the amendment. Discussion continued regarding revenue from Club One, fleet reserve fund, the funds to move the ponding basin by the GAP property, user fees vs. equity strips and borrowing against contingency funds.
(7 - 0) Councilmember Ronquillo left the meeting briefly at 5:25 p.m.

Council President Steitz requested a report on what the interest rate differences would be between a Fire Station, Police Station and parks.

A motion by Councilmember Perea, seconded by Acting President Mathys to close the debate was approved by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz
Noes	:	None
Absent	:	Ronquillo

Councilmember Ronquillo returned to the meeting at 5:32 p.m. On motion of Councilmember Quintero, seconded by Councilmember Ronquillo, duly carried, RESOLVED, staff directed to provide options for the Redevelopment Agency to provide \$3 million in tax increments and the City to provide \$3.5 million for the funding of the multipurpose stadium, to include funding sources from parking revenues and lease back and exclude all Police and Fire Stations and City parks, by the following vote:

Ayes	:	Boyajian, Bredefeld, Perea, Quintero, Ronquillo
Noes	:	Mathys, Steitz
Absent	:	None

A motion of Acting President Mathys, seconded by Councilmember Perea to hear unscheduled oral communication was made but not voted upon.

A motion by Acting President Mathys, seconded by Council President Steitz to reopen and reconsider the above discussion to allow public comment, hereby approved by the following vote.

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

Council President Steitz announced the above listed item was voted upon to reopen and reconsider the issue.

Upon call, no one wished to be heard and Council President Steitz closed the public comment portion.

Upon reopening and reconsideration of the above item, the motion of Councilmember Quintero, seconded by Councilmember Ronquillo, was reconfirmed to direct staff to provide options for the Redevelopment Agency to provide \$3 million in tax increments and the City to provide \$3.5 million for the funding of the multipurpose stadium and provide all options including parking revenues and lease back to exclude Police and Fire Stations and City parks, by the following vote:

Ayes	:	Boyajian, Bredefeld, Perea, Quintero, Ronquillo
Noes	:	Mathys, Steitz
Absent	:	None

- - - -

**B. DIRECT CITY ATTORNEY TO REQUIRE THE DIAMOND GROUP CORPORATION)
AND THEIR OFFICERS, TO MAKE AVAILABLE FOR PUBLIC INSPECTION, A)
CURRENT CREDIT REPORT AND TAX RETURNS FOR THE YEARS 1997 AND 1998)
- ACTING PRESIDENT MATHYS)**

Council President Steitz introduced the above-listed issue and opened it for public comment.

Upon call, no one wished to be heard and Council President Steitz closed the issue for public comment.

A motion by Acting President Mathys, seconded by Council President Steitz to direct the City Attorney to require the Fresno Diamond Group Corporation and their officers, to make available for public inspection a current credit report and tax returns for the years 1997 and 1998 was made.

City Attorney Montoy stated for the record a protocol was being prepared to ensure the City and County will have access to requested records when the deal was completed.

An amendment to the motion was made by Councilmember Perea, seconded by Councilmember Quintero to table the above listed item for 90 days which was approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Perea, Quintero, Ronquillo
Noes	:	Mathys, Steitz
Absent	:	None

- - - -

**(3:45 P.M.”A”) CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT)
NO. 98-01 AND OTHER ACTIONS RELATING TO THE PLAN APPROVAL AND)
ADOPTION OF THE PROPOSED CENTRAL CITY COMMERCIAL REVITALIZA-)
TION REDEVELOPMENT PROJECT, SOUTH FRESNO INDUSTRIAL REVITALIZA-)
TION REDEVELOPMENT PROJECT, AIRPORT AREA REVITALIZATION)
REDEVELOPMENT PROJECT AND SOUTHEAST FRESNO REVITALIZATION)
REDEVELOPMENT PROJECT)
**1. RESOLUTION NOS. 99-195/1545 - CERTIFYING PROGRAM ENVIRONMENTAL)
IMPACT REPORT NO. 98-01 WITH ATTACHMENTS: (COUNCIL AND AGENCY)
ACTION) A. STATEMENT AND FINDINGS OF POTENTIAL ADVERSE ENVIRON-)
MENTAL EFFECTS AND MITIGATION MEASURES TO LESSEN OR AVOID THOSE)
EFFECTS B. STATEMENT AND FINDINGS OF UNAVOIDABLE ADVERSE EFFECTS)****

**C. FINDINGS ON PROJECT ALTERNATIVES D. STATEMENT OF OVERRIDING)
CONSIDERATION THAT THE PROJECT BENEFITS OUTWEIGH THE UNAVOIDABLE)
ADVERSE EFFECTS E. MITIGATION MONITORING CHECKLIST)**

Redevelopment Administrator Murphey reviewed the staff report, stated one technical correction needed to be made to Attachment 5 of the June 29th staff report on the Airport Area Revitalization Redevelopment Project, noting the attachment should read “with or without a cap of tax increment of \$40 million”.

Councilmember Boyajian left the meeting at 5:40 p.m. and returned at 5:45 p.m. Lew Pond, Lew Pond

Consulting Services stated the Agency received three letters from the County and briefly reviewed the objections as stated.

Brief discussion ensued regarding the request by the County to include caps, with Redevelopment Executive Director Fitzpatrick responding.

A motion to certify the Program Final Environmental Impact Report was acted upon after further discussion.

City Manager Reid stated the Planning Commission recommended as a mitigation measure to include the requirement of 25 percent pass through of revenues to the City be provided, and encouraged the Council to discuss and address environmental issues.

An amendment to the original motion was made by Council President Steitz to make a determination the Agency will do a 25 percent pass through for the City failed due to a lack of a second.

On motion of Councilmember Perea, seconded by Councilmember Bredefeld to close debate and call for the question was acted upon after further discussion.

Extensive discussion ensued regarding the 25 percent pass through with Mr. Fitzpatrick stating the issue was to take action on the certification of the EIR, and the 25 percent set aside could be placed on a future agenda for discussion, with Acting President Mathys concurring. Chair Ronquillo stated for the record the City was currently receiving 38 percent from the 25 percent pass through .

On motion of Councilmember Perea, seconded by Councilmember Bredefeld to call for the question hereby approved by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

On motion of Councilmember Perea, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the above listed joint Resolution Nos. 99-195/1545, hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

- - - -

(3:45 P.M.”B”) CONSIDER ADDITIONAL ACTIONS RELATING TO THE PLAN)
APPROVAL AND ADOPTION OF THE PROPOSED CENTRAL CITY COMMER-)
CIAL REVITALIZATION REDEVELOPMENT PROJECT)
1. RESOLUTION NO. 1546 - APPROVING AND ADOPTING THE SUPPLEMENT TO)
THE REPORT TO THE CITY COUNCIL AND AUTHORIZING SUBMISSION TO THE)
COUNCIL (AGENCY ACTION))
2. RESOLUTION NOS. 99-196/1547 - ADOPTING FINDINGS THAT THE USE OF THE)
20 PERCENT LOW AND MODERATE INCOME HOUSING SET-ASIDE FUNDS OUTSIDE)
THE CENTRAL CITY COMMERCIAL REVITALIZATION REDEVELOPMENT PROJECT)

AREA WILL BE OF BENEFIT TO THE PROJECT AREA (*COUNCIL AND AGENCY*)
ACTION))
3. RESOLUTION NO. 99-197- ADOPTING FINDINGS IN RESPONSE TO WRITTEN)
 OBJECTIONS TO THE ADOPTION OF THE PROPOSED REDEVELOPMENT PLAN)
(COUNCIL ACTION))
4.* BILL NO. B-46/ORDINANCE NO. 99-43 - (*FOR INTRODUCTION AND ADOPTION*))
 ADOPTING THE REDEVELOPMENT PLAN FOR THE CENTRAL CITY COMMERCIAL)
 REVITALIZATION REDEVELOPMENT PROJECT FROM VARIOUS ALTERNATIVES)
(COUNCIL ACTION))

A motion by Councilmember Perea, seconded by Acting President Mathys, to adopt items 1, 2, 3 and B-4 with alternative “A” to Shaw Avenue, the merger with the Airport Revitalization Redevelopment Project and set a limit of \$54 million on the total tax increment to be received by the Agency and close the debate was discussed.

Council President Steitz expressed concern relating to keeping the redevelopment money in the neighborhood where it was generated, stated the motion previously made would do the opposite. After brief discussion Councilmember Perea withdrew the motion to close debate. Council President Steitz requested Council reject the above motion and move the boundary to Saginaw and keep each of the districts different.

After further discussion, Acting President Mathys withdrew his second on the original motion, and therefore, the original motion failed due to a lack of a second.

A motion by Council President Steitz, seconded by Acting President Mathys to adopt Resolutions 1, 2, 3 and 4 with alternative B-2 to include moving the boundary to Saginaw and to keep the Airport within itself, and a cap at \$54 million was acted upon after further discussion. Councilmember Perea expressed the importance of considering the boundary to Shaw Avenue and elaborated.

(8 - 0) An amendment to the motion was made by Council President Steitz, seconded by Acting President Mathys to require a 7-0 vote of the Agency in order for eminent domain to occur for the Central City Commercial Revitalization Redevelopment Plan was acted upon after further discussion.

City Attorney explained the State law regulates eminent domain provisions, stated what is being proposed is more stringent than State law.

On motion of Council President Steitz, seconded by Acting President Mathys to require a 7-0 vote of the Agency for eminent domain to occur on any property located in the Central City Commercial Revitalization Redevelopment Plan hereby failed adoption, by the following vote:

Ayes	:	Mathys, Steitz
Noes	:	Boyajian, Bredefeld, Perea, Quintero, Ronquillo
Absent	:	None

On motion of Councilmember Bredefeld, seconded by Councilmember Perea to close debate on the above issue hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

On motion of Councilmember Perea, seconded by Councilmember Bredefeld, duly carried, RESOLVED the above listed Resolution No.1546; Resolution Nos. 99-196/1547, Resolution No. 99-197 and Bill No. B-45 adopted as Ordinance No. 99-42, to include Alternative A-2 (no merger, the boundary be amended to include Shaw Avenue and a \$54 million cap) hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo
Noes	:	Steitz
Absent	:	None

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(3:45 P.M.”C”) CONSIDER ACTIONS RELATING TO THE PLAN APPROVAL AND)
ADOPTION OF THE PROPOSED SOUTH FRESNO INDUSTRIAL REVITALIZATION)
REDEVELOPMENT PROJECT)
1. RESOLUTION NO. 1548 - APPROVING AND ADOPTING THE SUPPLEMENT TO)
THE REPORT TO THE CITY COUNCIL AND AUTHORIZING SUBMISSION TO THE)
COUNCIL (*AGENCY ACTION*))
2. RESOLUTION NO. 99-198/1549 - ADOPTING FINDINGS THAT THE USE OF THE)
20 PERCENT LOW AND MODERATE INCOME HOUSING SET-ASIDE FUNDS OUTSIDE)
THE SOUTH FRESNO INDUSTRIAL REVITALIZATION REDEVELOPMENT PROJECT)
AREA WILL BE OF BENEFIT TO THE PROJECT AREA (*COUNCIL AND AGENCY*)
ACTION))
3. RESOLUTION NO. 99-199 - ADOPTING FINDINGS IN RESPONSE TO WRITTEN)
OBJECTIONS TO THE ADOPTION OF THE PROPOSED REDEVELOPMENT PLAN)
(*COUNCIL ACTION*))
4. * BILL NO. B-46- ORDINANCE NO. 99-43 (FOR INTRODUCTION AND ADOPTION))
- ADOPTING THE REDEVELOPMENT PLAN FOR THE SOUTH FRESNO INDUSTRIAL)
REVITALIZATION REDEVELOPMENT PROJECT FROM ALTERNATIVES)
(*COUNCIL ACTION*))

Redevelopment Consultant Bruce O’Neal, distributed a handout of the Agency’s response to the written objections received, on file in the City Clerk’s Office, and gave an extensive review of the staff reports for the above listed item as well as the 3:45 P.M. “D” item and the 3:45 P.M. “E” item. Councilmember Bredefeld left the meeting at 6:21 p.m. and returned at 6:40 p.m.

Councilmember Quintero stated for the record there would not be a merger for the Southeast Fresno Revitalization Redevelopment Plan with Mr. O’Neal confirming.

Councilmember Ronquillo stated there is a cap of \$20 million and there will be a side letter to the County, stated for the record there was a project that would not be in the Redevelopment area, but should have been included originally, namely, the turkey plant, adding it had grown from a total value of \$69 million and elaborated.

On motion of Councilmember Ronquillo, seconded by Councilmember Perea, duly carried, RESOLVED the above listed Resolution No.1548, Resolution Nos. 99-198/1549, Resolution No. 99-199 and Bill No. B-46 adopted as Ordinance No. 99-43, Alternative A (no merger, to include a \$20 million cap) for the South Fresno Industrial Revitalization Redevelopment Plan Area hereby adopted, by the following vote:

Ayes : Boyajian, Mathys, Perea, Quintero, Ronquillo
Noes : Steitz
Absent : Bredefeld

An amendment to the motion by Council President Steitz to require a 7-0 vote for eminent domain in the South Fresno Industrial Revitalization Redevelopment Plan Area failed due to lack of a second.

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(3:45 P.M."D") CONSIDER ACTIONS RELATING TO THE PLAN APPROVAL AND)
ADOPTION OF THE PROPOSED AIRPORT AREA REVITALIZATION REDEVELOP-)
MENT PROJECT)
1. RESOLUTION NO. 1550 - APPROVING AND ADOPTING THE SUPPLEMENT TO)
THE REPORT TO THE CITY COUNCIL AND AUTHORIZING SUBMISSION TO THE)
COUNCIL (*AGENCY ACTION*))
2. RESOLUTION NOS. 99-200/1551 - ADOPTING FINDINGS THAT THE USE OF THE)
20 PERCENT LOW AND MODERATE INCOME HOUSING SET-ASIDE FUNDS OUTSIDE)
THE AIRPORT AREA REVITALIZATION REDEVELOPMENT PROJECT AREA WILL)
BE OF BENEFIT TO THE PROJECT AREA (*COUNCIL AND AGENCY ACTION*))
3. RESOLUTION NO. 99-201 - ADOPTING FINDINGS IN RESPONSE TO WRITTEN)
OBJECTIONS TO THE ADOPTION OF THE PROPOSED REDEVELOPMENT PLAN)
(*COUNCIL ACTION*))
4.* BILL NO. B-48- ORDINANCE NO. 99-45 (FOR INTRODUCTION AND ADOPTION))
- ADOPTING THE REDEVELOPMENT PLAN FOR THE AIRPORT AREA REVITALIZA-)
TION REDEVELOPMENT PROJECT FROM VARIOUS ALTERNATIVES)
(*COUNCIL ACTION*))

A motion was made by Council President Steitz, seconded by Councilmember Quintero to adopt the Airport Area Revitalization Redevelopment Plan, to include alternative A-2 without a merger and a \$40 million cap, was voted upon after further discussion.

An amendment to the motion by Council President Steitz, seconded by Councilmember Quintero to remove all reference relating to eminent domain from the Airport Area Revitalization Redevelopment Plan was acted upon after further discussion.

A substitute motion by Councilmember Boyajian, seconded by Councilmember Ronquillo, to adopt Resolutions 1, 2 and 3 and adopt Alternative A-2 for the Airport Area Revitalization Redevelopment Plan, to allow for eminent domain, and set a \$40 million cap was acted upon after further discussion.

On motion of Councilmember Boyajian, seconded by Councilmember Ronquillo, to include eminent domain in the Airport Area Revitalization Redevelopment Plan, hereby approved by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Ronquillo
Noes : Quintero, Steitz

Absent : None

An amendment to the original motion by Council President Steitz to remove the GAP property from the Airport Area Revitalization Redevelopment Plan, and to adopt Alternative B-2 with a \$40 million cap, was acted upon after brief discussion.

Councilmember Ronquillo expressed concern with the adoption of Alternative B-2, stated the City would have an opportunity to recover a large amount of the investment the City has put in, and elaborated.

A motion of Council President Steitz, seconded by Councilmember Quintero, to adopt Alternative B-2 removing the GAP property from the Airport Area Revitalization Redevelopment Plan failed adoption by the following vote:

Ayes : Mathys, Quintero, Steitz
Noes : Boyajian, Perea, Ronquillo
Absent : Bredefeld

An amendment to the original motion by Council President Steitz to require a 7 - 0 vote in order for eminent domain to occur on any property in the Airport Area Revitalization Redevelopment Plan, and adopt Alternative A-2 with a \$40 million cap failed due to a lack of a second.

Council President Steitz, stated he would withdraw his original motion to adopt the Airport Area Revitalization Redevelopment Plan, to include alternative A-2 without a merger and a \$40 million cap.

City Attorney Montoy clarified that whenever the Planning Commission made a recommendation and the City Council did not approve that recommendation there was a requirement of a 2/3's vote of those eligible to vote.

On motion of Councilmember Boyajian, seconded by Councilmember Ronquillo, duly carried, RESOLVED Resolution No. 1550; Resolution Nos. 99-200/1551, Resolution No. 99-201 and Bill No. B-48 adopted as ordinance No. 99-45, Alternative A-2 (to include the entire GAP property, to allow for eminent domain, and set a \$40 million cap) for the Airport Area Revitalization Redevelopment Plan hereby adopted, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Ronquillo
Noes : Quintero, Steitz
Absent : None

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(3:45 P.M."E") CONSIDER ACTIONS RELATING TO THE PLAN APPROVAL AND)
ADOPTION OF THE PROPOSED SOUTHEAST FRESNO REVITALIZATION)

REDEVELOPMENT PROJECT)
1. RESOLUTION NO. 1552 - APPROVING AND ADOPTING THE SUPPLEMENT TO)
THE REPORT TO THE CITY COUNCIL AND AUTHORIZING SUBMISSION TO THE)
COUNCIL (AGENCY ACTION))
2. RESOLUTION NOS. 99-202/1553 - ADOPTING FINDINGS THAT THE USE OF)
THE 20 PERCENT LOW AND MODERATE INCOME HOUSING SET-ASIDE FUNDS)
OUTSIDE THE SOUTHEAST FRESNO REVITALIZATION REDEVELOPMENT PRO-)
JECT AREA WILL BE OF BENEFIT TO THE PROJECT AREA)
(COUNCIL AND AGENCY ACTION))
3. RESOLUTION NO. 99-203 - ADOPTING FINDINGS IN RESPONSE TO WRITTEN)
OBJECTIONS TO THE ADOPTION OF THE PROPOSED REDEVELOPMENT PLAN)
(COUNCIL ACTION))
4.* BILL NO. B-48 - ORDINANCE NO. 99-45 - (FOR INTRODUCTION AND)
ADOPTION) - ADOPTING THE REDEVELOPMENT PLAN FOR THE SOUTHEAST)
FRESNO REVITALIZATION REDEVELOPMENT PROJECT FROM ALTERNATIVES)
(COUNCIL ACTION))

A motion by Councilmember Quintero to adopt Resolutions 1, 2 and 3 and Alternative A with a \$48 million tax increment to be received by the Redevelopment Agency, and the Planning Commission recommendation of the 25 percent pass through go to the City of Fresno and any eminent domain to require a 7-0 vote was acted upon after further discussion.

City Attorney Montoy stated with respect to the portion of the motion relating to the 25 percent pass through due to it not technically being part of the ordinance, it would be done by a minute resolution.

Councilmember Ronquillo spoke in opposition to the motion, stated it was unnecessary to require a 7-0 vote to approve eminent domain because the Agency was guided by State law.

A motion by Councilmember Quintero, seconded by Council President Steitz, to adopt Agenda items 1, 2 and 3 and Alternative A with a \$48 million tax increment to be received by the Redevelopment Agency, and the Planning Commission recommendation of the 25 percent pass through go to the City of Fresno and any eminent domain will require a 7-0 vote failed adoption by the following vote:

Ayes	:	Mathys, Quintero, Steitz
Noes	:	Boyajian, Bredefeld, Perea, Ronquillo
Absent	:	None

Councilmember Quintero reiterated his motion stating the importance of the 25 percent set aside was for the public services to be covered, and the reason for the 7-0 vote for eminent domain was because the majority of the area being considered is basically commercial and small parcels, and stated the intent was not to amass big

pieces of property. After brief discussion Councilmember Quintero stated he would consider supporting the motion with the inclusion of the 25 percent set aside for the City and a 5-2 vote for eminent domain with Councilmember Ronquillo concurring.

A motion by Councilmember Ronquillo, seconded by Councilmember Boyajian, duly carried, RESOLVED Resolution No. 1552; Resolution No. 99-202/1553, Resolution No. 99-203 and Bill No. B-48 adopted as Ordinance No. 99-45 (Alternative A with a \$48 million cap with the inclusion of the 25 percent set aside for the City) hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo
Noes	:	Steitz
Absent	:	None

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(3:45 P.M. "F") CONSIDER ADDITIONAL ACTIONS RELATING TO THE PREPARE-)
TION AND INITIATION OF AMENDMENTS TO THE "RULES GOVERNING PARTICI-)
PATION BY PROPERTY OWNERS AND THE EXTENSION OF REASONABLE PREFER-)
ENCES TO BUSINESS OCCUPANTS" FOR THE PROPOSED CENTRAL CITY COM-)
MERCIAL REVITALIZATION, SOUTH FRESNO INDUSTRIAL, AIRPORT AREA, AND)
SOUTHEAST FRESNO REVITALIZATION REDEVELOPMENT PROJECT AREAS -)
COUNCIL PRESIDENT STEITZ)

Council President Steitz withdrew the above listed item.

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(5A) APPROVE APPOINTMENT OF AL GALVEZ TO THE FRESNO WORKFORCE)
DEVELOPMENT BOARD (**FOR ADOPTION**) - COUNCILMEMBER PEREA)

On motion of Councilmember Perea, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the appointment of Al Galvez to the Fresno Workforce Development Board hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

At the hour of 6:55 p.m. Council adjourned the meeting to meet in a joint session with the Planning Commission.

(6:00 P.M.) JOINT MEETING OF THE FRESNO CITY COUNCIL AND THE)
FRESNO CITY PLANNING COMMISSION)
A. FRONT YARD STANDARDS/VARIANCES)
B. CODE ENFORCEMENT)
C. METHODS TO IMPROVE YOUTH ACTIVITIES)
D. TOWER DISTRICT PARKING STUDY)
E. ANNEXATION OF UNINCORPORATED ISLAND AREAS)
F. ANNUAL PLANNING COMMISSION REPORT TO CITY COUNCIL)

G. WATER METER WORKSHOP

)

(1 - 0) The Council of the City of Fresno met with the Planning Commission in Room 2165 (Meeting Room "A"). Present were Council President Steitz, Acting President Mathys and Councilmembers Bredefeld, Boyajian, Quintero and Ronquillo; Planning Commissioners Stone, Sterling, Alvarez, DiBuduo, Eckenrod and Treadwell; City Manager Reid, City Attorney Montoy, Deputy City Attorneys Cresap and Slater, Development Director Solis and Planning Manager Yovino.

Commissioner DiBuduo welcomed all to the meeting, and opened the meeting for public input and discussion.

Discussion ensued on Topic #1 relating to front yard standards/variances. Speaking to the issue were: Carl Kemp, Bullard Implementation Committee, who expressed concern regarding front yard fencing, stated if variances continue to get approved, there should be guidance and direction; Rosilyn Clark, Fulton/Lowell Specific Plan, Dallas Debatin, Becky Foir-Hayden; Mike Clifton, Tower District Design Review Committee, who expressed concern with chain-link fencing, and Chris Johnson, Design Review Committee, who stated the City needs a material standard or consistent policy for front yard fencing.

Discussion ensued on Topic #2 relating to Code Enforcement. Speaking to the issue were Rosilyn Clark; Dallas Debatin who discussed a program called Focus Code Enforcement; an unidentified man, Becky Foir-Hayden, and Carl Kemp.

Councilmembers Quintero and Bredefeld expressed the effort in trying to make code enforcement a priority. Councilmember Bredefeld left at 7:55 p.m. for the remainder of the meeting. City Manager Reid briefly reviewed three different strategies Code Enforcement is working on which include hiring more code enforcement officers, working with the Police Department to take over the citing of inoperable vehicles, vehicles parked on lawns and illegal parking of RV's, and the third strategy of working with City Attorney's Office to make revisions to the Municipal Code and elaborated.

(2 - 0) Commissioner DiBuduo recommended a workshop be set to address the City-wide fence issue and briefly reviewed the possibility of fining the fence company if a fence is installed illegally. City Clerk Klisch will work with Development to arrange the date of the workshop. Acting President Mathys left the meeting at 8:10 p.m. At 8:21 p.m. Councilmember Ronquillo left and the City Council was without a quorum for the remainder of the meeting.

Brief discussion ensued on the topics of the water meter issue and annexation of unincorporated island areas. Commissioner DiBuduo questioned whether the City Council would like an annual report of the State of the City from the Planning Commission versus joint meetings throughout the year, and methods to improve youth activities.

ADJOURNMENT

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There being no further business to bring before the Council and Planning Commission, the hour of 8:48 p.m. having arrived and hearing no objections, Commissioner DiBuduo declared the meeting adjourned.

DATED this 20th day of July, 1999.

_____	ATTEST: _____
Ken Steitz, Council President	Cindy Hamby, Deputy City Clerk